

**Arkansas Department of Environmental Quality**  
**RCRA FY2013 Mid-Year Review**  
**(10/1/2012 - 03/31/2013)**

**Data completeness, accuracy and timeliness (SRF Metric 1, 2 and 3):**

A review of ADEQ reports used to summarize the RCRA FY2013 Mid-Year report was determined by EPA.ADEQ's data in RCRAInfo is complete, accurate and timely.

**Inspection Coverage: Degree to which state completed the universe of planned inspections/compliance evaluations (SRF Metric 5):**

TSDFs	Evaluation Count	Facility Count	Universe	% Covered *	State Evaluation Projection
Federal Facilities	1	1			
Private	17	12			
State Facilities	0	0			
<b>Total</b>	18	13	11	85%**	6

Evaluation Count and Facility Count include all Evaluation Types conducted at any TSDF.

\*(This column only calculates the % covered using CEI, GME's and OAM Evaluation Types, for purposes of meeting the National Program Guidance requirement of evaluating 50% of the "Operating" TSDF Universe (100% every 2 years), multiple evaluations of the same facility count as only one inspection.) \*\* Inspections conducted at 13 Operating TSDFs were used in the calculation of Universe coverage, multiple evaluations of the same facility were not included in this count: (13/11 = 85%).

During the period of 10/01/2012 through 3/31/2013, ADEQ conducted inspections at 13 Treatment, Storage and Land Disposal (TSD) facilities (includes 1 Federal Facilities). ADEQ inspected 85% of the Operating TSDF Universe (from a May 6, 2013, RCRAInfo report), towards meeting the 50% annual coverage of Operating TSDFs.

<b>Large Quantity Generators</b>	<b>Evaluation Count</b>	<b>Facility Count</b>	<b>Universe</b>	<b>% Covered *</b>	<b>State Projection</b>
<i>Federal Facilities</i>	2	2			
<i>Private</i>	12	12			
<i>State Facilities</i>	1	1			
<i>Other</i>	1	1			
<b>Total</b>	16	16	8	50%	

Evaluation Count and Facility Count include all Evaluation Types conducted at any LQG , including multiple inspections at a single facility.

\*(This column only calculates the % covered using CEI Evaluation Types, for purposes of meeting the National Program Guidance requirement of evaluating 20% of the LQG Universe annually (inspecting 100% of the LQG universe in 5 years), multiple evaluations of the same facility count as only one inspection.)

\*\*8 CEIs at LQGs were used in the calculation of Universe coverage, multiple evaluations of the same facility were not included in this count:  
(8/16= 50%). ADEQ has an approved alternative approach as outlined in the Compliance Monitoring Strategy for the Resource Conservation and Recovery Act (RCRA) Subtitle C Program under the Straight Trade-off Approach". ADEQ will conduct inspections at 15 of the LQG universe and will conduct the other 14 at Small Quantity Generators.

During the period of 10/1/2012 through 3/31/2013, ADEQ conducted inspections at 8 Large Quantity Generators (LQGs). ADEQ inspected 15 of the LQG Universe meeting the 10% alternative approach for Fiscal Year 2013.

<b>Other Facilities</b>	<b>Evaluation Count</b>	<b>Facility Count</b>	<b>Universe</b>	<b>% Covered</b>	<b>State Projection</b>
<i>Small Quantity Generators</i>	10	10			
<i>Conditionally Exempt Small Quantity Generators</i>	2	2			
<i>Not in Any Universe</i>	8	8			
<i>Transporters</i>	4	4			
<b>Total</b>	21	21			

Evaluation Count and Facility Count include all Evaluation Types conducted at Small Quantity Generators (SQGs), Conditionally Exempt Small Quantity Generators (CESQEG), Not in Any Universe and Transporters , including multiple inspections at a single facility.

\*(There is no National Program Guidance coverage requirement for these types of facilities)



<b>Types of Inspections</b>	<b>Evaluation Count</b>
<i>CAC – Corrective Action Compliance</i>	5
<i>CAV – Compliance Assistance Visit</i>	0
<i>CEI – Compliance Evaluation Inspection</i>	28
<i>FCI – Focused Compliance Inspection</i>	13
<i>FRR – Financial Records Review</i>	4
<i>FUI- Follow-Up Inspection</i>	0
<i>GME – Groundwater Monitoring Evaluation</i>	0
<i>OAM – Operation and Maintenance</i>	3
<i>NRR- New-Financial Record Review</i>	1
<b>Total</b>	<b>54</b>

**Evaluation Count includes all Evaluation Types at all facilities including multiple inspections at a single facility.**

**Violation Identification Rate at sites with inspections: (SRF Metric 7)**

Of the 54 facilities that were inspected during this period, 32 facilities were found to have violations, based on information from RCRAInfo, this is a 62% violation discovery rate. (Breakdown of Universe and violations found: Land Disposal Facilities = 2, Storage/Treatment Facilities = 2, LQG = 14, SQG = 7, CESQG = 1, Transporters = 2, Not Any Universe/Non-Notifiers = 4). Some facilities inspected are still under review for potential violations, thus depending on the outcome the violation rate discovered could increase once these reviews are complete.

**Enforcement:****Significant Non-Compliers (SRF Metric 8):**

The National Goal for SNC identification is .9% of inspections should result in identifying SNCs. There were 14 SNCs identified during the period of 10/1/2012 through 3/31/2013.

The number of sites in SNCs status, during this period is 14 (based on a RCRAInfo pull on May 6, 2013). 13 of the sites in SNC were addressed with formal enforcement (see table below), seven (7) of which were within the timelines outlined in the Enforcement Response Policy (ERP). Any remaining facilities in SNC status were not due for enforcement at the time of this report or had not been determined.

**SNC Addressed with Formal Enforcement:**

Facility Name	ID #	Evaluation Date	Enf. Type	#Days	INITIAL PENALTY	Settled Penalty	Collected	SEP
AMFUEL	ARD008049298	9/18/12	310	170	\$	\$ 30,000.00	\$	\$
ASHLAND, INC.	ARR000000810	6/19/12	310	211		4,500.00	4,500.00	
BAPTIST HEALTH MEDICAL	ARD155769342	4/25/12	310	173		9,562.00		
BEAN LUMBER COMPANY	ARD067677286	3/24/11	210	557	4,500.00			
BODYCOTE K-TECH	ARR000012153	3/15/12	310	201		31,593.75	31,593.75	
CLEAN HARBORS EL DORADO	ARD069748192	6/18/12	310	227		3,575.00	3,575.00	1,925.00
COUNTY MEDICAL SERVICE	ARR000022574	12/31/10	610	769				
CURT BEAN LUMBER CO.	ARD981913460	4/6/11	410	601	10,000.00			
GEORGE IVORY	ARR000022442	6/29/11	310	576		2,125.00	2,125.00	
PINE BLUFF ARSENAL	AR0213820707	8/23/12	310	141		4,500.00	4,500.00	
TAYLOR MADE AMBULANCE	AR0000110049	6/1/12	310	179		11,250.00	11,250.00	
WHITWORX FINE METAL FINI	ARR000022673	10/3/11	210	468	27,000.00			
WHITWORX FINE METAL FINI	ARR000022673	10/3/11	310	540		13,500.00		
WILLIAMS WORKS LLC	ARR000019497	5/1/11	310	547	105,875.00	9,175.00	9,175.00	

**210 (2)** = Initial (3008) Compliance Order; **310 (10)** = Final 3008(a) Compliance Order; **320 (0)** = Final Imminent Hazard Order; **510 (0)** = Initial Civil Judicial Action for Compliance and/or Monetary Penalty; **610 (1)** = Consent Decree

**Secondary Violators (SVs)****Formal Enforcement Actions:**

Facility Name	ID #	Evaluation Date	Enf. Type	#Days	Settled Penalty	Collected	SEP
None							

**Informal Enforcement Actions:**

Type of Action	Facilities	Number of Actions
Written Informal (RCRAInfo Code 120)	34	34
Letter of Intent to Initiate Enforcement (RCRAInfo Code 140)	6	7
Proposed CAO (RCRAInfo Code 149)	8	8
<b>Total</b>	<b>48</b>	<b>49</b>

*10 of the 140's and 7 of the 149's listed above were issued to SNCs.*

**Timely and Appropriate Enforcement (SRF Metric 10):**

*Two (2) Enforcement Actions issued during this period were outside the timelines as outlined in the ERP and appear to be appropriate based on the data in RCRAInfo. 93% of final formal enforcement actions included a penalty, exceeding the National Goal of 35% and the National Average of 70.1%.*